

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Paul Anthony Ionadi

Debtor(s)

First Tech Federal Credit Union

Movant

v.

Paul Anthony Ionadi

Debtor(s)

BK. NO. 20-22585 GLT

CHAPTER 13

STIPULATION AND ORDER

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the follow Stipulation:

WHEREAS Movant filed a secured proof of claim on September 23, 2020, which was secured by a mortgage on Debtor's property at 4944 Glenwood Avenue, Pittsburgh, PA 15207 (Claim No. 5);

WHEREAS Movant's secured proof of claim set forth pre-petition arrears in the amount of \$3,640.35;

WHEREAS Debtor has filed a Chapter 13 Plan on September 3, 2020 and Debtor's plan does not provide for payment of Movant's claim, nor surrender of the collateral securing said claim (Doc. 5);

WHEREAS, Movant has filed an objection to confirmation of the Chapter 13 Plan on November 18, 2020 (Doc. 43);

WHEREAS, Debtor intends to pay Movant's claim outside of the Chapter 13 Bankruptcy

AND NOW, it is hereby stipulated by and between the undersigned as follows:

1. The automatic stay is terminated as it affects the interests of the Movant with respect to Debtor's real property at 4944 Glenwood Avenue, Pittsburgh, PA 15207, provided however, that relief from stay is stayed in accordance with the conditions set forth in Paragraphs 2-6, below.

2. The Debtor shall reinstate the loan within 60 days of this Order.
3. On a go-forward basis from and after the date of the Order approving this Stipulation, the Debtor shall timely make full monthly mortgage payments to Movant.
4. Time is of the essence as to all payments going forward.
5. For the duration of this bankruptcy case, in the event that Movant has not received a full monthly mortgage payment by the last day of the month in which the Debtor's payment is due, then the stay provided in Paragraph 1, above, shall be vacated and the automatic stay unconditionally lifted as it affects the interests of the Movant with respect the Debtor's real property at 4944 Glenwood Avenue, Pittsburgh, PA 15207, upon the filing of a Certificate of Default by Movant, without further hearing or without entry of an additional order, if Debtor has failed to cure the default fifteen (15) days after written notice of default to Debtor's Counsel.
6. Relief from the automatic stay shall be effective immediately upon conversion of Debtor's case to a case under Chapter 7.

Consented to by:

/s/ Mark B. Peduto

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It is hereby ORDERED that the parties' Stipulation be and hereby is APPROVED.

By the Court,

_____. J.